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JCS965 U.S. PTO

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JCS968 U.S. PTO  
10/092361  
03/05/02

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

### CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents and/or fees referred to as attached therein are being deposited with the United States Postal Service on March 5, 2002 in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR §1.10, Mailing Label Number EL898675390US, addressed to: Commissioner for Patents, Box Patent Applications, Washington, C. 20231-0001.

Sue Funchess

Sue Funchess

Attorney Docket No.: DEM1P010

First Named Inventor: DELURGIO

### **UTILITY PATENT APPLICATION TRANSMITTAL (37 CFR. § 1.53(b))**

(Continuation, Divisional or Continuation-in-part application)

Commissioner for Patents  
Box Patent Applications  
Washington, D.C. 20231

Sir: This is a request for filing a patent application under 37 CFR. § 1.53(b) in the name of inventors:  
**Phil DELURGIO, Krishna VENKATRAMAN, and Suzanne VALENTINE**

For: **INTELLIGENT CLUSTERING SYSTEM**

Assigned to :

This application is a  Continuation  Divisional  Continuation-in-part  
of prior Application No.: 10/007,002, from which priority under 35 U.S.C. §120 is claimed.

### Application Elements:

25 Pages of Specification, Claims and Abstract

8 Sheets of Formal Drawings

Declaration

Newly executed

Copy from a prior application (37 CFR 1.63(d) for a continuation or divisional).  
The entire disclosure of the prior application from which a copy of the declaration is  
herein supplied is considered as being part of the disclosure of the accompanying  
application and is hereby incorporated by reference therein.

Deletion of inventors Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

### Accompanying Application Parts:

Do not publish this application. Nonpublication Request is attached.

Assignment and Assignment Recordation Cover Sheet (recording fee of \$40.00 enclosed)

Power of Attorney

37 CFR 3.73(b) Statement by Assignee  
 Information Disclosure Statement with Form PTO-1449       Copies of IDS Citations  
 Preliminary Amendment (*New claims numbered after highest original claim in prior application.*)  
 Return Receipt Postcard  
 Other:

Claim For Foreign Priority

Priority of      Application No.      filed on  
is claimed under 35 U.S.C. § 119.  
 The certified copy has been filed in prior application U.S. Application No. \_\_\_\_\_  
 The certified copy will follow.

Extension of Time for Prior Pending Application

A Petition for Extension of Time is being concurrently filed in the prior pending application. A copy of the Petition for Extension of Time is attached.

Amendments

Amend the specification by inserting before the first line the sentence: "This is a  
 Continuation       Continuation-in-part       Divisional  
application of co-pending prior  
 Application No.      filed on      ,  
 International Application      filed on      which  
designated the United States,  
the disclosure of which is incorporated herein by reference."

Cancel in this application original claims      of the prior application  
before calculating the filing fee. (*At least one original independent claim must be retained.*)

Fee Calculation (37 CFR § 1.16)

Applicant is entitled to Small Entity Status under 37 C.F.R. §1.27.

	(Col. 1) Total Claims		(Col. 2) Claims	(Col. 3) Present Extra	Rate	Additional Fee
TOTAL	20	MINUS	20	= 0	x 18 =	-0-
INDEP.	3	MINUS	3	= 0	x 84 =	-0-
[ ] First presentation of multiple dependent claim					\$280 =	
Basic Filing Fee under 37 C.F.R. §1.16(a)					\$740 =	\$740.00
TOTAL						\$740.00
SMALL ENTITY 50% FILING FEE REDUCTION (if applicable)						

Check No. in the amount of \$ is enclosed.

The Commissioner is authorized to charge any fees beyond the amount enclosed which may be required, or to credit any overpayment, to Deposit Account No. 500388 (Order No. ).

**DO NOT CHARGE FILING FEES TO OUR DEPOSIT ACCOUNT AT THIS TIME.**

General Authorization for Petition for Extension of Time (37 CFR §1.136)

Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR §1.17 as may be needed to Deposit Account No. 50-0388 (Order No. DEM1P010).

Please send correspondence to the following address:

**Customer Number 022434**



Date: March 5, 2002

Michael Lee  
Michael Lee  
Registration No. 31,846

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: DELURGIO et al.

Attorney Docket No.: DEM1P010

Application No.: FILED HEREWITH

Examiner: UNASSIGNED

Filed: FILED HEREWITH

Group: UNASSIGNED

Title: INTELLIGENT CLUSTERING SYSTEM

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Sue Funchess

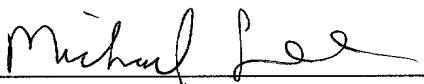
**NONPUBLICATION REQUEST AND CERTIFICATION  
(35 U.S.C. 122(b)(2)(B)(i))**

Commissioner for Patents  
Box Patent Applications  
Washington, D.C. 20231-0001

Sir:

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen (18) months after filing. I hereby request that the attached application **NOT** be published under 35 U.S.C. 122(b).

Date: March 5, 2002

  
Michael Lee  
Registration No. 31,846